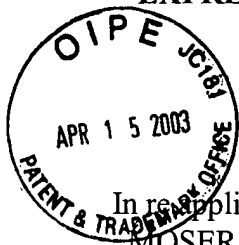


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1646

EXPRESS MAIL NO.: EV219322189US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MOSER, Tammy L., *et al*

Application No.: 09/862,798

Filed: May 22, 2001

For: **COMPOSITIONS AND METHODS FOR
PROMOTING OR INHIBITING
ANGIOGENESIS**

Art Unit: 1646

Examiner: Not yet assigned

Confirmation No.: 1167

Attorney Docket No: 05882.0101.CPUS01

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted

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herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required, or
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance, or action that otherwise closes prosecution in the application, and
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2), or
 - ☐ c. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(i), and

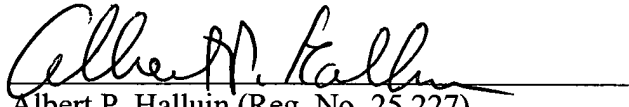
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. Relevance of the non-English language document(s) is discussed in the present specification.
- ☐ 5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- 8. Copies of the documents marked with an asterisk were cited by or submitted to the Office in Application No. 09/314,159, filed May 19, 1999, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 05882.0101.CPUS01.

Respectfully submitted,

Date: April 15, 2003


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(650) 463-8109

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

PTO FORM 1449



ATTY. DOCKET NO.

05882.0101.CPUS01

APPLICATION NO.

10/007,698

APPLICANT

Moser, et al.

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
*	1.	5,639,725	6/1997	O'Reilly, <i>et al.</i>			
*	2.	5,681,372	10/1997	Magits			
	3.	5,639,725	07/1997	O'Reilly, <i>et al.</i>			
*	4.	5,837,682	11/1998	Folkman, <i>et al.</i>			
*	5.	5,945,403	8/1999	Folkman, <i>et al.</i>			
*	6.	6,024,688	2/2000	Folkman, <i>et al.</i>			
*	7.	6,110,722	8/2000	Hillman, <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
*	8.	WO 00/326631	6/2000	PCT				
*	9.	WO 99/66038	12/1999	PCT				

OTHER REFERENCES

(Including Author, Title, Date, Pertinent Pages, Etc.)

*	10.	Boyer, "The ATP Synthase – A Splendid Molecular Machine," <i>Annu. Rev. Biochem.</i> 66 :717-749 (1997)
*	11.	Das, <i>et al.</i> , "A Novel Ligand in Lymphocyte-mediated Cytotoxicity: Expression of the β Subunit of H^+ Transporting ATP Synthase on the Surface of Tumor Cells Lines," <i>J. Exp. Med.</i> 180 :273-281 (1994)
	12.	Dunn, <i>et al.</i> , "Monoclonal Antibodies to <i>Escherichia coli</i> F_1 -ATPase," <i>J. Biol. Chem.</i> 260 :10418-10425 (1985)
*	13.	Elston, <i>et al.</i> , "Energy transduction ATP Synthase," <i>Nature</i> 39 :510-513 (1998)
	14.	Feller, <i>et al.</i> , "A monoclonal antibody detecting dipeptidylpeptidase IV in human tissue," <i>Virchows Arch. A. Pathol. Anat. Histopathol.</i> 409 (2):263-273 (1986)
	15.	Gogol, <i>et al.</i> , "Cryoelectron microscopy of <i>escherichia coli</i> F_1 Adenosinetriphosphatase Decorated with monoclonal Antibodies to Individual Subunits of the Complex," <i>Biochem.</i> 28 :4717-4724 (1989)

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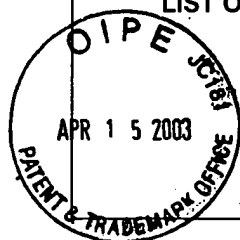
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	16.	Hartel, <i>et al.</i> , "Characterization of Different Forms of Dipeptidyl Peptidase IV from Rat Liver and Hepatoma by Monoclonal Antibodies," <i>Adv. Exp. Med. Biol.</i> 240:206-214 (1988)
*	17.	Kataoka, <i>et al.</i> , "Nucleotide sequence of a cDNA for the α subunit of human mitochondrial ATP Synthase," <i>Biochimica et Biophysica Acta</i> 1089:393-395 (1991)
*	18.	Miles, <i>et al.</i> , "Role of Cell-Surface Lysines in Plasminogen Binding to Cells: Identification of α -Enolase as a Candidate Plasminogen Receptor," <i>Biochemistry</i> 30(6):1682-1691 (1991)
	19.	Moradi-Ameli, <i>et al.</i> , "Characterization of monoclonal antibodies against mitochondrial F_1 -ATPase," <i>PNAS</i> 80:6167-6171 (1983)
*	20.	Moreno, <i>et al.</i> , "Vascular-type H^+ -ATPase regulates cytoplasmic pH in <i>Toxoplasma gondii</i> tachyzoites," <i>Biochem. J.</i> 330:853-860 (1998)
	21.	Nelson, <i>et al.</i> , "Immunochemical Analysis of the membrane Proteins of Rat Liver and Zajdela Hepatoma Mitochondria," <i>Arch. Biochem. Biophys.</i> 234:24-30 (1984)
*	22.	Rao, <i>et al.</i> , "The Defective Proton-ATPase of <i>uncA</i> Mutants of <i>Escherichia coli</i> : ATP-Binding and ATP-Induced Conformational Change in Mutant α -Subunits," <i>Archives of Biochemistry and Biophysics</i> 255(2):309-315 (1987)
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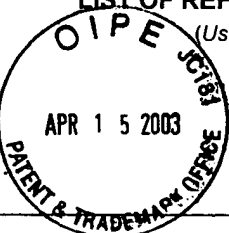
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	16.	Hartel, <i>et al.</i> , "Characterization of Different Forms of Dipeptidyl Peptidase IV from Rat Liver and Hepatoma by Monoclonal Antibodies," <i>Adv. Exp. Med. Biol.</i> 240 :206-214 (1988)
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